

REMARKS

This Amendment is submitted prior to continued examination of the present patent application and in response to the official action mailed January 2, 2008. Claims 1-29 were pending in the application. In the Office Action, claims 1-29 were rejected. In this Amendment, claims 1, 10, and 29 have been amended. Claims 1-29 thus remain for consideration.

Applicants submit that claims 1-29 are in condition for allowance and request reconsideration and withdrawal of the rejections in light of the following remarks.

\$103 Rejections

Claims 1-3, 5, 10, 12, 14, 16-21, and 23-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wugofski (US 6,201,538) in view of Lemmons et al. (US 2003/0051243), Pietraszak et al (US 6,990,677) and Ellis et al. (US 5,760,821).

Claims 4, 8, and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wugofski in view of Lemmons and Pietraszak as applied to claims 1 and 10, and further in view of Chaney (US 5,841,433).

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wugofski in view of Lemmons and Pietraszak as applied to claim 1, and further in view of Arai et al. (US 2004/0221307).

Claims 7, 13, 22, 26, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wugofski in view of Lemmons and Pietraszak as applied to claim 1, and further in view of Hendricks et al. (US 5,990,927).

Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wugofski in view of Lemmons, Pietraszak, and Chaney as applied to claim 8, and further in view of Suzuki (US 5,790,170).

Claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wugofski in view of Lemmons and Pietraszak as applied to claim 14, and further in view of Suzuki and Cuccia (US 6,337,719).

Claim 28 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wugofski in view of Lemmons and Pietraszak as applied to claim 17, and further in view of Ellis (US 6,820,278).

Claim 29 was rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Wugofski, Lemmons, Pietraszak and Ellis.

Applicants respectfully submit that the independent claims (claims 1, 10, and 29) are patentable over Wugofski, Lemmons, Pietraszak, Ellis '821, Chaney, Arai, Hendricks, Suzuki, Cuccia, and Ellis '278 (collectively "the cited references").

Applicants' invention as recited in the independent claims is directed toward the transmission and reception of program guide information. Each of the claims recites that the program guide information includes "both electronic program guide (EPG) information that is in a standard format and EPG information that is associated with a display design determined by at least one broadcasting station or content producer." Supporting disclosure for the quoted recitation can be found in the specification at, for example, page 16.

None of the cited references discloses the use of program guide information that includes "both electronic program guide (EPG) information that is in a standard format and EPG information that is associated with a display design determined by at least one broadcasting station or content producer." Accordingly, Applicants believe that claims 1, 10 and 29 are patentable over the cited references - taken either individually or in combination - on at least this basis.

Each of dependent claims 2-9 and 11-28 depends on either independent claim 1 or independent claim 10. Since dependent claims inherit the limitations of their respective base claims, Applicants believe that claims 2-9 and 11-28 are patentable over the cited references for at least the same reasons discussed in connection with claims 1 and 10.


Applicants respectfully submit that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, he/she is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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